

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ADRIAN CONTRERAS-REBOLLAR,

Petitioner,

v.

U.S.,

Respondent.

CASE NO. 3:15-CV-05471-BHS-JRC

ORDER TO FILE AN AMENDED
PETITION

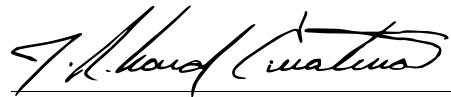
The District Court referred this petition for a writ of habeas corpus to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b) (1) (A) and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state conviction pursuant to 28 U.S.C. § 2254.

Petitioner has named only the United States as respondent. Petitioner needs to name a natural person -- not a governmental entity. The proper respondent is the person having custody of petitioner. *See* 28 U.S.C. § 2242. This person is usually the superintendent of the facility in which petitioner is incarcerated. Petitioner's failure to name the correct party deprives this Court

1 of personal jurisdiction. *See Stanley v. California Supreme Court*, 21 F.3d 359, 360 (9th Cir.
2 1994).

3 Petitioner is ordered to file an amended petition. Petitioner's pleading must be filed on or
4 before August 28, 2015 or the Court will recommend dismissal of this petition for failure to
5 prosecute and failure to comply with a Court order.

6 Dated this 21st day of July, 2015.

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8 J. Richard Creatura
9 United States Magistrate Judge
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